

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

December 1, 1998

DIVISION TWO

B119072 McGrath & Wilson
v.
Allstate Insurance Company

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

B121576 Escher (Not for Publication)
v.
Pomona First Federal Bank & Trust

The judgment is reversed as to respondents PFF, Rinehart and Smith and affirmed as to respondent Lemmons. The judgment is reversed as to the causes of action for breach of contract, breach of the implied covenant of good faith and fair dealing and intentional and negligent misrepresentation. The judgment is affirmed as to the cause of action for intentional and negligent infliction of emotional distress and violation of Labor Code section 970. Each party to bear their own costs of appeal.

Nott, J.

We concur: Fukuto, Acting P.J.
 Zebrowski, J.

December 1, 1998-Continued

DIVISION TWO (Continued)

B099411 Hutchings (Not for Publication)
v.
Prudential California Realty

The judgment is reversed. The order granting summary judgment is reversed, and the matter is remanded for trial. Respondents to bear appellants' costs on appeal.

Nott, J.

We concur: Boren, P.J.
Fukuto, J.

B081544 Buckley (Certified for Publication)
v.
California Coastal Commission

The judgment in the declaratory relief action (case No. BC044916) is affirmed. The judgment in the cross-complaint for damages (case No. SC915614) and the award of attorney fees and costs are reversed. Each party is to bear its own costs on appeal.

Nott, J.

We concur: Boren, P.J.
 Zebrowski, J.

DIVISION THREE

B112177 People (Not for Publication)
v.
Cardenas

The judgment is affirmed.

Kitching, J.

We concur: Klein, P.J.
Croskey, J.

DIVISION FOUR

B115029 Johnson (Certified for Publication)
v.
McMahan, et al.

The judgment is reversed and the case remanded for further proceedings on the basis of the Civil Code section 3342 claim. Appellant to have his costs on appeal.

Epstein, Acting P.J.

We concur: Hastings, J.
Curry, J.

B115835 People (Not for Publication)
v.
McKiney

The judgment is affirmed.

Epstein, Acting P.J.

We concur: Hastings, J.
Curry, J.

[illegible]

The Court:

The judgment is affirmed.

Vogel (C.S.), P.J., Hastings, J., Curry, J.

DIVISION FIVE

B118491 People
 v.
 Cesar M. Herrera

Filed order modifying opinion. (No change in the judgment)

Court convened at 9:00 A.M.

Present: Turner, P.J., Grignon, J., Armstrong, J., and J. Belcher, Deputy Clerk.

Each of the following:

B118676 People v. Karen Oganessian
B117908 People v. Cutberto Holguin
B122064 DCFS v. Lori S.

Argument waived, cause submitted.

B122180 Floyd H. Norris
 v.
 Martin N. Segal

Merits:
Argued by Rob Norris for appellant and by Susan H. Handelman for
respondent. Cause submitted.

B120277 Marie Helene Prime, et al.
 v.
 Joan P. Miller

Merits:
Argued by John B. Murdock for appellant and by Francis P. Aspesi for
respondent. Submission deferred.

DIVISION FIVE (Continued)

B119493 Edward R. Stoltz, II
 v.
 City of Los Angeles

Merits:
Argued by Steven W. Bacon for appellant and by Michael L. Klekner,
deputy city attorney, for respondents. Cause submitted.

B125189 D.C.F.S.
 v.
 Alicia L.

Merits:
Argued by Alicia L. appellant in propria persona. No appearance by
respondent. Cause submitted.

B120112 The People
 v.
 Jason Robert Boman

Merits:
Argued by John L. Staley for appellant and no appearance for respondent..
Cause submitted.

B115784 Donald F. Hogan
 v.
 United Franchise Owners, et al.

Merits:
Argued by Steven J. Shapero for appellant and by Steven D. Wiener for
respondents. Cause submitted.

The Court recess.

DIVISION FIVE (Continued)

The Court reconvened at 10:20 a.m.

Present: Turner, P.J., Grignon, J., Armstrong, J., and J. Belcher, Deputy Clerk.

B119425 Scoggins v. Ultramar

Argument waived, cause submitted.

B117382 Rosa Gonzales
v.
Christopher Rael, et al.

Merits:

Appearance by Linda Pethick for appellants and by J. Peter Fiske for respondents. Both counsel waived argument. Cause submitted.

B117374 Omar Nasir, et al,
v.
First Alliance Mortgage Corp.

Merits:

No appearance by counsel for appellants or respondents. Cause submitted.

The court recessed at 10:25 a.m.

The Court reconvened at 11:00 a.m.

Present: Turner, P.J., Armstrong, J., Godoy Perez, J., and J. Belcher, Deputy Clerk.

Each of the following:

B119811 People v. Charles McNealy
B113362 People v. Anthony Torres
B121275 People v. Obuilio Carcamo
B118592 People v. Nazih Hakim
B125567 DCFS v Colleen C.

Argument waived, cause submitted.

DIVISION FIVE (Continued)

B117226 People
 v.
 Harvey Laureano

Merits:
Argued by Joe Ingber for appellant and by David A. Wildman, deputy attorney general, for respondent. Cause submitted.

B122103 The People
 v.
 Jaime S.,

Merits:
Argued by Saiid Arjomand for appellant and by David C. Cook, deputy attorney general, for respondent. Cause submitted.

Court recessed at 11:10 a.m.

Court reconvened at 1:00 p.m.

Present: Grignon, Acting P.J., Armstrong, J., Godoy Perez, J., and J. Belcher, Deputy Clerk.

B113186 Cambridge Townhomes Owners Assn.
 v.
 Maria Solis

Merits:
Argued by Steven Tepper for appellant and by Susan H. Handelman for respondent. Cause submitted.

The court recessed at 1:15 p.m.

Court reconvened at 1:20 p.m.

Present: Turner, P.J., Armstrong, J., Godoy Perez, J., and J. Belcher, Deputy Clerk.

DIVISION FIVE (Continued)

B121214 Mark Ewart
 v.
 Denise A. Mitchell

Merits:
Argued by James T. Minuto for appellant and by William James Osborne
for respondent. Cause submitted.

B107708 Bernard Wior
 v.
 Carol Wior

Merits:
Argued by Philip L. Merkel for appellant and by Ira H. Lurvey for
respondent. Cause submitted.

B123080 Donya Fletcher
 v.
 Christa M. Hawkins

Merits:
Argued by Ronald P. Kaplan for appellant and by John A. Payne, Jr. for
respondent. Cause submitted.

B115205 Ronald Hood
 v.
 John H. Wagner

Merits:
Argued by Douglas Brian Levinson for appellant and by J. Peter Fiske for
respondents. Cause submitted.

DIVISION FIVE (Continued)

B105976 Ronald Stanman

v.

Alan J. Schultz, et al.

Merits:

Argued by Aaron Blum for appellants and by Phillip D. Dapeer for respondent. Cause submitted.

B119890 Christina Bionghi, et al.

v.

Metropolitan Water District, etc., et al.

Merits:

Argued by Kent B. Goss for appellant and by Albert H. Ebright for respondents. Cause submitted.

Court adjourned at 3:25 p.m.

B113910 Karen Kane, Inc.

v.

Bank of America National Trust and Savings Association, Inc., et al.

Filed order modifying opinion. (No change in the judgment)

DIVISION SIX

B115471 Marsoobian (Not for Publication)

v.

Highland Federal Bank

The judgment is affirmed. Costs to respondents.

Stone, P.J.

We concur: Gilbert, J.
Yegan, J.